

# SISTERS SWEAR TRIANGLE DOOR WAS NOT LOCKED

Ida and Anna Mittelman Corroborate the Story Told by Mrs. Levantina.

LONG FIGHT PROBABLE.

Defense Has a Big List of Witnesses Who Are Yet to Be Called.

Two young women who fled from the flames that swept the factory of the Triangle Waist Company when 147 lives were lost March 25, 1911, testified today before Judge Crain in Part V. General Sessions, that the ninth door on the Washington Place side of the Asch Building was not locked when Margaret Schwartz died before it.

In defense of Isaac Harris and Max Blau, proprietors of the Waist Company, who are charged with criminal responsibility for the death of the Schwartz girl, Ida and Anna Mittelman, sisters, swore that Ida had gone through the door at the very beginning of the panic. Both girls said they had made similar statements just after the fire.

A theatrical producer and manager and a late salesman told how they had passed through the same door when they visited the factory. William Harris, a negro porter, convulsed the courtroom during an examination that had for its result testimony that the key to the ninth floor door was always kept in the lock and that the door was not locked.

While the evidence for the defense was being heard some apprehension was caused by the appearance in the corridor of a group of women who had been prominent in the former demonstration made by relatives of girls who died in the fire, which demonstration gave the police a busy session.

It was feared that another outbreak might occur and the corridors were carefully guarded.

A list of some sixty witnesses who have been called for the defense came into evidence today. If all of them are examined the trial will last for a month.

SECOND GIRL TESTIFIES DOOR WAS NOT LOCKED.

Ida Mittelman, who escaped from the Triangle Waist Company fire disaster, was the first witness of the day. She swore the ninth floor door on the Washington Place side of the Asch Building was not locked when a score of girls died before it. Her testimony was in corroboration of the story of May Levantina.

Miss Mittelman said she is now employed by the defendants.

"I was employed as an operator at the factory on March 25," she said. "My sister Anna also worked there. We kept our things in one of the dressing rooms and my water usually got mine for me. When the signal was given to stop the power for the day I walked over to my sister's machine. Sister went to get my coat. I stopped near the elevators on the Washington Place side. We heard a noise and some one said an elevator had dropped. I ran out of the Washington Place stairway door (the locked door) and saw a lot of girls running out of the eighth floor door. There was thick smoke and I ran back to tell my sister there was a fire. The smoke was so thick I couldn't see anything except the heads of people when I looked out over the railing."

"Q. You didn't see any flames when you looked down—the only thing you saw was smoke? A. No, sir."

"Q. Did you turn the key in the lock? A. No; May opened the door. I waited for the Washington Place elevator and then ran over to the Greene Street side. I met a crowd of girls coming from the Greene Street side and we crowded back to the Washington Place elevators."

"I was pushed into the elevator," the witness said. "I saw my sister behind and gave a scream. We jumped into the elevator after it started down."

The witness recalled seeing the key of the door with a string tied to it. WITNESS TELLS A JUROR SHE IS POSITIVE.

"My Juror No. 1, are you positive that you ran into the hallway through the door and looked downstairs? A. Yes, sir—positive."

"Mr. Hotstick proceeded to cross-examine the witness concerning her former statement. Mr. Hotstick demanded that the statement be produced in evidence, but the court ruled against him."

Both sides asked that the girl's statement to the District Attorney be admitted as evidence, but the court still refused. Then Mr. Hotstick asked the witness what she had told the District Attorney, and she went over the conversation. She said she had told him about going to the Washington Place door and passing through it, and going back because she saw thick smoke below. She waited for the elevator.

Henry C. Jacobs of Nos. 25-27 Bedford Avenue, Brooklyn, and Elmer Herman of No. 70 Riverside Drive testified that they had passed through the Washington Place door.

William Harris of No. 22 West Fifth Street said he was night porter at the factory and that the key to the ninth floor door was always left in that door.

NEGRO INJECTS SOME HUMOR INTO THE TRIAL.

Harris, who is a pure-blooded negro, got into deep water on cross-examination.

"Who sent you to the District Attorney's office?" asked Mr. Hotstick.

"Who, me?" said the witness.

A man reared in the cotton belt would be known that answer was coming, he it "wider" the lawyer.

"Yes, I mean you!" he roared.

"What you want to know who sent me?"

## Mrs. Boudouine Weds Again Three Days After Her Divorce

MRS. MONTGOMERY H. CLARK.



RENO, Nev., Dec. 20.—Mrs. Mat Alden Chatterton Boudouine, who on Saturday evening was granted a divorce from John P. Boudouine, a New York clubman, took the train Monday night for San Francisco. There she met Montgomery H. Clark, said to be a well-known civil engineer of New York City.

pent me to the District Attorney's office."

"That's just exactly what I asked you," Hotstick almost shouted.

"What you ask me is who done told me to go to the District Attorney's office?" came back the darky's query.

"Yes, answer that question!" demanded Hotstick.

"Well, dey didn't nobody send me," said the witness.

Mr. Hotstick presented the statement made by Harris before the District Attorney in April, 1911, in which Harris said Max Blau sent him to the District Attorney.

"Is that your signature?" asked Hotstick.

"Dat's mah name—William Harris," said the witness. "But I didn't say anything about Mr. Blau."

"That is not an answer," said the court. "Strike it out."

"Strike it out," echoed the witness, while the spectators shook with laughter.

Mr. Hotstick offered the old statement in evidence. Judge Crain allowed it as "People's Exhibit No. 43."

Anna Mittelman of No. 384 Fifth Street, a sister to Ida Mittelman, told of seeing Ida go out of the Washington Place door and of seeing the smoke.

Samuel Rubin of No. 30 St. Ann's Avenue testified that he was head cutter at the factory. He always found the ninth floor door unlocked.

Herman Silverman of No. 142 Charlton Street, Newark, said he was employed at the factory for nine years. He frequently saw persons come through the ninth floor door in chief question.

ALLEGED CHIEF FIREBUG ARRESTED ON A "SQUEAL."

Jacob Weiner, fourth of the quartet of "firebugs" rounded up by Fire Marshal Brophy, was arraigned before Magistrate McGuire in the New Jersey Avenue Court, Brooklyn, this afternoon and held without bail for a hearing Friday.

Weiner was arrested at his home, No. 22 East Third Street, Manhattan, by Detectives Ryan and McKean early today on the confession of Samuel Brandt, one of the quartet, who says Weiner was the head of the conspiracy to defraud insurance companies.

"He tried me to put the torch to the place," says Brandt in his confession. "He got me to set the torch at the fire at No. 736 Cleveland Street, East New York, and he got me to start the fire at his own house, No. 34 Sheffield Street. He had \$300 insurance there."

There were eight families in the Sheffield Street house when the fire was started.

WILL KEEP BULLETS AND DIE

CAMDEN, N. J., Dec. 20.—Lying in Cooper Hospital with four bullet wounds, one of which extends clear through the abdomen, Charles Hillis refuses to permit the surgeons to operate on him, although they say that in an operation lies his one chance for life. Hillis was told today that unless the bullets were removed he could not live more than a day or two, but as he looked at it, he thought he might die under the operation.

Hillis was shot last night in Cole's Hotel at East Moore Street, where he and Clinton Barrett got into a heated argument. According to the constable, Barrett drew a revolver and shot four times at Hillis. Barrett gave himself up and is now confined in the jail of Burlington County.

Removable.

"I know, but he made his fortune five years ago and still loves his wife."

300 Styles

of our \$25.00, \$30.00 and \$40.00 suitings and overcoatings reduced to \$20.00, as a Holiday attraction. See them, they are wonderful values. Ready for Christmas if desired.

ARNHEIM Broadway & Ninth Street

## BANKER'S WIFE WANTS A PUBLIC DIVORCE TRIAL

Mellon's Attorney Pleads With Court for Secret Hearing in Pittsburgh.

SHE DEMANDS A JURY.

British Army Officer, Now in Canada, Is Named as Co-respondent.

PITTSBURGH, Dec. 20.—A remarkable and sensational court hearing was that yesterday in connection with the domestic troubles of Andrew W. Mellon, multi-millionaire banker of this city, and his wife, Nora McMillen Mellon, member of a prominent family of Dublin, Ireland. The question debated was whether Mrs. Mellon is entitled to a jury trial, open to the public, Alfred George Curphy of London, an officer in the British army, is named as co-respondent.

Mellon opposes a jury trial and it has been charged that a law designed to rob Mrs. Mellon of this right and passed by the Pennsylvania Legislature hurriedly last spring was due to his influence. Some months ago the case was brought before the British Parliament because of the apparent inability of Mrs. Mellon to secure a public trial.

According to counsel for Mellon a public jury trial would be prejudicial to public morals.

MELLON'S LAWYER PLEADS FOR SECRET HEARING.

Every possible effort has been employed to keep developments in the case secret. Practically all the details up to this time have been supplied by Mrs. Mellon. Attorney James H. Beal, who appeared for Mellon, said to the Court yesterday:

"The respondent has endeavored to secure publicity and has furnished photographs of herself, her husband and their children, and has obtained as high as 2,000 copies of the newspapers and mailed them to people living in Allegheny County, all to humiliate the plaintiff. There are a large number of witnesses living in France, Germany and England who it would be impossible to bring to a trial. As many as thirty or forty are in foreign countries and many others live in New York."

Attorney Beal then told of Curphy, the co-respondent coming to this country, and "surprisingly leaving Pittsburgh." He explained that Curphy was arrested in New York and extradited, but went to Canada.

Judge Evans reserved decision.

Reason for an Error.

"Ruglies, I'm told that hunters in the North Woods once mistook you for a deer and shot at you. Is that true?"

"Yes, they were misled by the horns."

"The horns? Great Scott! Were you wearing horns?"

"No, but the hunters had had a few."

The Closing Prices.

Today's highest, lowest and last prices of stock and net changes compared with yesterday's figures are as follows:

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## PACKERS HAD TRADE CODE IN FIXING PRICES

Prosecutor Says Beef Trust Pool in Chicago Was In Force Over Thirty Years.

CHICAGO, Dec. 20.—At a conference of counsel for the defense held today it was decided that several representatives of the packers would make addresses to the jury, immediately following the close of United States District Attorney Wilkerson's opening statement.

Attorney George T. Buckingham, it is said, will make the first statement in behalf of the defendants, and will be followed by Attorneys John S. Miller, John Barton Payne and Levy Mayer. The indications are that the Government will not call its first witness before next week.

District Attorney Wilkerson resumed his address when court opened at 10 o'clock. He described with minute detail the working of the system by which the combination of packers are alleged to have suppressed competition and fixed prices.

"The crude methods of the old pool were supplanted in later years by the operation of the National Packing Company, by which the packers attended weekly meetings as directors of the corporation and fixed prices," said Wilkerson. "Under the new system, the packers met as directors instead of as individuals, although precisely the same business was transacted and the same results obtained. Prices were decided upon, the country's meat business divided among the different members of the combination and the shipments to different markets agreed upon."

"The members used a code of trade terms in fixing prices at these weekly meetings. It was an ingenious scheme effected after years of study and experience."

Mr. Wilkerson said that wars were started in certain districts to drive independent packers from the field. In other instances troublesome competitors were absorbed by the combination, he asserted.

"The organization of the National Packing Company was a sham and its stockholders and directors are just as guilty under the law as if the fixing of business and the control of the meat industry had been accomplished by individuals," continued Mr. Wilkerson.

He argued that the intent of the packers to fix prices was shown by the history of the packing industry and said there had been a packers' pool for thirty years. The object of the National Packing Company, he declared, was to continue this pool.

Honor Dead American.

LONDON, Dec. 20.—A special exhibition of the last work of the late Edwin A. Abbey, the American painter, under the auspices of the Royal Academy will begin at Burlington House on Jan. 1. The exhibits will include paintings for the Pennsylvania Capitol and pastel which have not before been shown. The honor of a special exhibition is granted only to the most distinguished deceased members of the Royal Academy.

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## YOUNG ELOPERS FOUND. PAPA WIVES BLESSING.

Detective Locates Youth and Girl From Everett, Mass., Living Happily in the Bronx.

Following a general alarm sent out by Thomas H. Foden, superintendent of the Everett steel and iron works at Everett, Mass., Detective Meyers of the Bronx District Bureau located seven-year-old Maud Foden at No. 1102 Southern Boulevard, Bronx, today as the bride of Herbert Hull, twenty years old, an electrician.

The young girl, who is very pretty, eloped with Hull Saturday. They were married by a Justice of the Peace in New Jersey Monday night and went to the home of Frederick Hull, a brother of the bridegroom. Detective Meyers found the young couple happily situated and telephoned a report to Mr. Foden.

"If they are married, it is all right," replied Mr. Foden, "but they are both too young." Later he wired his blessing.

Young Hull was an electrician in the ship's company of the Battleship Rhode Island until he got his discharge a few months ago. He was wearing one of Uncle Sam's uniforms when he first met Miss Foden in Boston. They declared today it was a case of love at first sight.

DIVORCED FROM BIGAMIST.

Breakerhoff in Sing Sing for Marrying States Island Girl.

Having succeeded in sending her husband to Sing Sing for bigamy, Mrs. Mary W. Breakerhoff of Henderson place, Jamaica, got a decree of divorce from him today from Supreme Court Justice Scudder in Long Island City.

The young woman eloped with and married Phillip Breakerhoff in November, 1905, when she was nineteen years old. Breakerhoff was employed by the Long Island Railroad. A year later he began to stay away from home, and in August, 1907, Mrs. Breakerhoff learned that he had married Miss Mary Shields of Port Richmond, S. I., on July 25, 1907.

SUFFERING FROM ECZEMA

Untold tortures from this distressing, disfiguring malady are avoided by the prompt use of the one efficient, healing remedy, Poslam.

It is daily effecting complete cures of worst cases of Eczema, Acne, Barbers' Itch, Psoriasis, &c., and is praised by thousands who know its benefits. A test of Poslam tells its merit. Write for free sample to the Emergency Laboratories, 32 West Twenty-fifth Street, New York City. Druggists everywhere sell Poslam and Poslam Soap—the best soap for your skin.

SPECIAL SALE

of Practical Xmas Gifts

Men's and Women's New Style, Regular \$10

RAGLAN SLIP-ONS

Thursday \$5.75

Friday

Saturday

10 Cortland St.

3 Doors from Broadway.

480 FULTON ST., BROOKLYN

In Raglan and Box styles in shades of tan. Guaranteed Waterproof.

Magnificent stock of stylish Waterproof Coats of every description, from \$2.50 to \$20.00

Don't Be Deceived

Goodyear Raincoat Co

THREE B'WAY STORES

835 B'way, S. W. Cor. 13th St.

Cor. 22d St. and B'way (Flatiron Bldg.)

Cor. John St. and Broadway.

Note Name and Address Carefully

OPEN EVENINGS

## CHARLES H. FARRELL DEAD.

Founder of Standard-Union Express in Home of His Daughter.

Charles Henry Farrell, Mexican war veteran, war correspondent and founder of the Standard-Union of Brooklyn, is dead at the home of his daughter, Mrs. Cora Belle Fieserwright, of No. 302 Gates Avenue, Brooklyn, his death having occurred yesterday after a prolonged illness from Bright's disease.

Mr. Farrell, who was born in New York City, was educated in the public schools here and in an academy at Worcester, Mass. During the Mexican troubles he was sergeant of the First New York Volunteers, and upon his return to New York became city editor of the Herald, later going to the front as a correspondent during the civil war. In this capacity he reported the Monitor and Merrimac fight, the battle of Vicksburg and Lee's surrender.

At the close of the war he started the Free Press, which failed, and later founded the Standard-Union. At the time of his death he was clerk in the Special Term for Motions of the Supreme Court in Brooklyn.

NO "SNIFFERS" IN CLUB.

James Hanaud and Thomas Winters, arrested for being implicated in the

headup of forty men at the Amphipole Club, at No. 230 Broadway, Brooklyn, a week ago Saturday night were held for the grand jury without bail today by Magistrate Harris in the Gates Avenue Police Court, Brooklyn.

Each member of the club, who testified regarding the hold up, was asked if he was a "sniffer," whether he ever "told the pipe" and whether the club was a headquarters for "sniffers." All the questions were answered in the negative.

ENGLISH PEERLESS CURE

A SUCCESSFUL NEW DISCOVERY FOR HEMORRHOIDS

A PROMINENT PHYSICIAN'S PRESCRIPTION. NOT A PATENT

FILES IN ALL THE BEST DRUGGISTS FORM FURNISHED TO THIS TREATMENT

Read what others have to say of its curing ability: Continental Hotel, Philadelphia.

Gentlemen: Your remedy for hemorrhoids has done me much good. I am about to be married on, but after using E. P. C. I can report entirely cured. I strongly recommend the remedy as being the best I have